

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MARSHAY CHAPMAN,

Plaintiff,

v.

GENERAL MOTORS, L.L.C.,

Defendant.

Case No. 15-12367

Honorable John Corbett O'Meara

ORDER OF PARTIAL DISMISSAL

Plaintiff Marshay Chapman recently filed a four-count complaint, followed by an amended complaint, alleging the following causes of action: Count I, violations of Title VII of the Civil Rights Act of 1964; Count II, violations of 42 U.S.C. § 1981; Count III, violations of Michigan's Elliot-Larsen Civil Rights Act; and Count IV, violations of the Americans with Disabilities Act.

Although Counts I, II and IV are cognizable in this court pursuant to 28 U.S.C. § 1331, the allegations presented in Count III are based solely on state law. The parties to this action are not diverse. Therefore, this court declines to exercise supplemental jurisdiction over Plaintiff's state law claim to avoid jury confusion. See 28 U.S.C. § 1367(c); United Mine Workers v. Gibbs, 383 U.S. 715 (1966); Padilla v. City of Saginaw, 867 F. Supp. 1309 (E.D. Mich. 1994).

ORDER

It is hereby **ORDERED** that Count III is **DISMISSED**.

s/John Corbett O'Meara
United States District Judge

Date: August 7, 2015

I hereby certify that a copy of the foregoing document was served upon counsel of record on this date, August 7, 2015, using the ECF system.

s/William Barkholz
Case Manager